

JCO2 Rec'd PCT/PTC 23 MAY 2005

Attorney Docket # TURK-P0131US

PATENT *TH3*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In application of:

APPLICANT: Bonaventura et al  
U.S. SERIAL No.: 10/501,941 Group No:  
U.S. FILING DATE: July 20, 2004 Examiner: V.M. WALLACE  
TITLE: ENZYMATIC SYNTHESIS OF N(alpha)-ACYL-K-ARGININE ESTERS

**MAIL STOP MISSING PARTS**  
**Commissioner for Patents**  
**P.O. BOX 1450**  
**Alexandria, VA 22313-1450**

**COMPLETION OF FILING REQUIREMENTS**  
**-- NONPROVISIONAL APPLICATION**

I. ☒ This replies to the Notice to File Missing Parts mailed 04/19/05.

NOTE: If these papers are filed before the Office Letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and the title of the invention, the filing date based on the "Express Mail" procedure, the serial number from the return postcard or the attorney's docket number added.

☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the Notice to File Missing Parts to the Application.

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**CERTIFICATION UNDER 37 CFR § 1.8(a) and/or 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

☒ Deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Arlington, Virginia 22313 with sufficient postage as first class mail.

☐ Deposited as "Express Mail Post Office to Addressee" Mail Label No. \_\_\_\_\_

*Kathleen McCafferty*  
Signature

May 18, 2005  
Date

Kathleen McCafferty  
Typed or Printed Name

**BEST AVAILABLE COPY**

## DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for the subject application.

NOTE: If the correct inventor or inventors are not named on filing a nonprovisional application under §1.53(b) without an executed oath or declaration under §1.63, the later submission of an executed oath or declaration under §1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 CFR §1.48(f)(1).

## OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For the surcharge fee for filing declaration after filing date complete item V(3) below.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR §1.63:

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456;
- (B) serial number and filing date;
- (C) attorney docket number which was on the specification as filed;
- (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
- (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application file in the PTO is the application which the inventor(s) executed by signing the oath or declaration.

M.P.E.P. §601.01(a), 7<sup>th</sup> Ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday or holiday within the District of Columbia. 37CFR §1.10(c).

(complete (c) or (d), if applicable)

Attached is a

- ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

## AMENDMENT CANCELLING CLAIMS

III.

- ☐ Cancel claims \_\_\_\_\_ inclusive.

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

IV.

- ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: For fee processing a non-English language application, complete item V(5) below.

NOTE: A non-English oath or declaration in the form provided by the PTO need not be translated. 37 CFR §1.69(b).

**SMALL ENTITY STATUS**

V.

- a. ☐ An assertion that this filing is by a small entity
- ☐ is attached.
  - ☐ was filed on \_\_\_\_\_ (original).
  - ☐ was made by paying the basic filing fee as a small entity.
  - ☐ is being made now by paying the basic filing fee as a small entity.
- b. ☐ A separate refund request accompanies this paper.

## COMPLETION FEES

VI.

**Warning:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 CFR §1.53

NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 CFR §1.28(a).

### 1. Filing Fee

- ☐ original patent application  
(37 CFR §1.16(a) - \$750.00; Small Entity - \$375.00) \$\_\_\_\_\_
- ☐ design application  
(37 CFR §1.16(f) - \$330.00; Small Entity - \$165.00) \$\_\_\_\_\_

### 2. Fees for Claims

- ☐ each independent claim in excess of 3  
(37 CFR §1.16(b) -\$200.00; Small Entity -\$100.00) \$\_\_\_\_\_
- ☐ each claim in excess of 20  
(37 CFR §1.16(c) -\$50.00; Small Entity \$25.00) \$\_\_\_\_\_
- ☐ multiple dependent claim(s)  
(37 CFR §1.16(d) -\$360.00; Small Entity -\$180.00) \$\_\_\_\_\_

3. ☒ declaration or oath late payment of filing fee and/or  
late filing of original  
(37 CFR §1.16(e) -\$130.00; Small Entity -\$65.00) \$130.00

NOTE: If both the filing fee and declaration or oath were missing from the original papers, the Office practice under 37 CFR §1.16(e) is that only one surcharge Fee need be paid whether the later filed oath or declaration and/or the filing fee are submitted afterwards at the same time or at different times.

4. ☐ Petition and fee for filing by other than all the inventors  
or a person not the inventor  
(37 CFR §1.17(l) and 1.47 -\$130.00) \$\_\_\_\_\_
5. ☐ Fee for processing an application filed with a specification  
in a non-English language  
(37 CFR § 1.17(k) and 1.52(d) -\$130.00) \$\_\_\_\_\_
6. ☐ Fee for processing and retention of application  
(37 CFR §1.21(l) and 1.53(d) - \$130.00) \$\_\_\_\_\_
7. ☐ Assignment (See "ASSIGNMENT COVER SHEET") \$\_\_\_\_\_

NOTE: 37 CFR §1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 CFR §1.53(f) and this, as well as, the changes to 37 CFR §1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of §1.21(l) within 1 year of notification under §1.539f) must be paid.

05/31/2005 MKAYPAGH 00000050 180988 10501941

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**TOTAL COMPLETION FEES**

\$130.00

## EXTENSION OF TIME

VII.

NOTE: 37 CFR §1.704(b) "...an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in §1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

The proceedings herein are for a patent application, and the provisions of 37 CFR §1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than a small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input type="checkbox"/>	three months	\$ 1,020.00	\$510.00
<input type="checkbox"/>	four months	\$ 1,590.00	\$795.00

**Fee:** \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request:** \$ \_\_\_\_\_

**or**

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

VIII.

The total fee due is:

Completion fee(s): \$130.00

Extension fee (if any) \$\_\_\_\_\_

**TOTAL FEE DUE:** \$130.00

**PAYMENT OF FEES**

IX.

☒ Attached is a ☒ check ☐ money order in the amount of \$130.00

☒ Authorization is hereby made to charge the amount of \$\_\_\_\_\_

☒ to Deposit Account No. 18-0988

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

X.

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check, or, if requested, by credit to a deposit account." 37 CFR §1.26(a).

☒ The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

☒ 37 CFR §1.16(a), (f) or (g) (Filing fees)

☒ 37 CFR §1.16(b), (c) and (d) (Presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR §1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.


- ☒ 37 CFR §1.16(e) (Surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application).
- ☒ 37 CFR §1.17(a)(1)-(5) (Extension fees pursuant to §1.136(a)).
- ☒ 37 CFR 1.17 (Application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under §1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in §1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 CFR §1.136(a)(3).

- ☐ 37 CFR §1.18(Issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)

NOTE: Section 1.311(b) provides that an authorization to charge the issue fee (§1.18) to a deposit account may be filed in an individual application **only after the mailing of the notice of allowance**. Accordingly, general authorizations to pay fees and specific authorizations to pay the issue fee that are filed prior to the mailing of a notice of allowance will generally not be treated as requesting payment of the issue fee and will not be given effect to act as a reply to the notice of allowance. Applicant, when paying the issue fee, should submit a new authorization to charge fees, such as by completing box 6b on the current PTOL-85B form. Where no reply to the notice of allowance is received, the application will stand abandoned notwithstanding the presence of general authorizations to pay fees or a specific authorization to pay the issue fee that were submitted prior to mailing of the notice of allowance. Where an attempt is made to pay the issue fee but an incorrect amount is submitted, §1.311(b)(1), or where the Office's issue fee transmittal form (currently PTOL-85(B)) is completed by applicant and submitted, §1.311(b)(2), in reply to a notice of allowance, an exception will be made. Such submissions will operate as a request to charge the issue fee to any deposit account identified in a previously filed (i.e., submitted prior to the mailing of the notice of allowance) authorization to charge fees, and will be allowed to act as payment of the correct issue fee. §1.311(b). See also the change to §1.26(b). Notice of September 8, 2000, Fed. Reg. 54646 and 54647.

NOTE: 37 CFR §1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying, or at the time of paying...issue fee..." From the wording of 37 CFR §1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

  
Signature of Practitioner

John W. Renner  
Typed or printed name of practitioner)

Registration No. 19,097

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

PCT \$

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,941	Joan Seguer Bonaventura	TURK.P0131WOUS

John W Renner  
 Renner Otto Boisselle & Sklar  
 1621 Euclid Avenue  
 19th Floor  
 Cleveland, OH 44115-2191



INTERNATIONAL APPLICATION NO.	
PCT/EP02/01070	
I.A. FILING DATE	PRIORITY DATE
02/01/2002	

CONFIRMATION NO. 8468

371 FORMALITIES LETTER



\*OC000000015776390\*

Date Mailed: 04/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/20/2004
- Copy of the International Search Report filed on 07/20/2004
- Preliminary Amendments filed on 07/20/2004
- Request for Immediate Examination filed on 07/20/2004
- U.S. Basic National Fees filed on 07/20/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

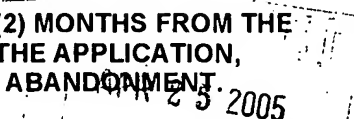
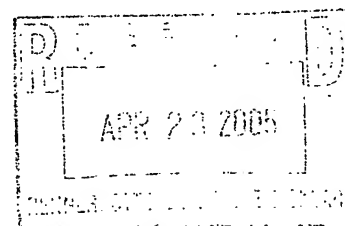
## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions



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of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,941	PCT/EP02/01070	TURK.P0131WOUS

FORM PCT/DO/EO/905 (371 Formalities Notice)